

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54380 of 2021**

Arising Out of PS. Case No.-537 Year-2021 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

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Binod Sahni Son Of Achchhelal Sahni Resident Of Village- Dharmpur P.S-  
Minapur, Dist- Muzaffarpur At Present Dhobi Ghat Ward No. 12, P.S- Town,  
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar,Adv

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-01-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Town  
P.S.Case No.537 of 2021 registered for the offence under  
Sections 272,273 and 34 of the Indian Penal Code and Section  
30(a) and 34 of the Bihar Prohibition and Excise Act.

22 litres of country made liquor was recovered from  
the in-laws house of the petitioner.

Learned counsel appearing for the petitioner submits  
that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that it appears from the FIR itself that nothing has been recovered from the conscious possession of the petitioner. He further submits that the alleged recovery of 22 litres of liquor has been made from the in-laws house of the petitioner and petitioner has been implicated in the present case. Petitioner is in custody since 19.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Town P.S. Case No.537 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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